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OFFICE OF PETITIONS

In re Application of :
Anthony FASANELLA :
Application No. 10/816,684 : **DECISION ON PETITION**
Filed: April 01, 2004 :
Attorney Docket No. **Fasane.A-01** :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 27, 2009, to revive the above-identified application.

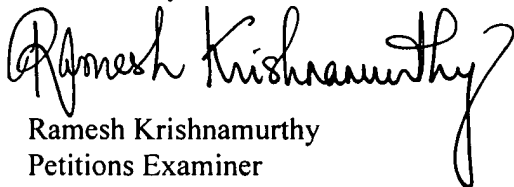
The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, February 25, 2008, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on May 26, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$810; and (3) a proper statement of unintentional delay. Accordingly, the reply to the non-final Office February 25, 2008, is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at (571) 272-2783.

This application is being referred to Technology Center AU 3633 for appropriate action on the concurrently filed amendment.



Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions